

RECEIVED
CENTRAL FAX CENTER

Atty. Docket No. PPW06-569DS

JAN 26 2007

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

Bo-Yeoun JO : GROUP ART UNIT: 2891

APPLICATION NO: 10/743,573 :

FILED: December 22, 2003 : EXAMINER: Smith, Bradley

FOR: METHOD FOR FABRICATING A
CAPACITOR USING A METAL
INSULATOR METAL STRUCTURE

I hereby certify that this document is being facsimile transmitted to the USPTO or deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 26, 2007.

By: 
Jennie Heaton

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 35 U.S.C. 132
AND 37 C.F.R. 1.116

Mail Stop AF
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Office Action dated October 27, 2006, Applicant respectfully requests reconsideration of the above-identified application in view of the following amendments and remarks.

THE LAW OFFICES OF
ANDREW D. FORTNEY, PH.D., P.C. RECEIVED
 401 W. FALLBROOK AVENUE, SUITE 204
 FRESNO, CALIFORNIA 93711
www.FORTNEYLAW.COM
 TELEPHONE: (559) 432-6847
 FAX: (559) 432-6872
 EMAIL: INFO@FORTNEYLAW.COM

ANDREW D. FORTNEY, PH.D.

ALEC B. PLUMB

JAN 26 2007

ATTN: **MAIL STOP AF**

COMPANY: **COMMISSIONER FOR PATENTS / P.O. Box 1450, ALEXANDRIA VA 22313-1450**

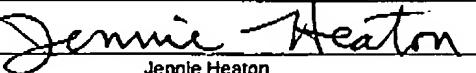
FAX: **1 (571) 273-8300**

DATE: **01-26-2007** TIME: **6:30 AM** **(PM)**

WITH CONFIRMATION
 WITHOUT CONFIRMATION

RE: **APPLICATION NO. 10/743,573**
 FILED: **December 22, 2003**

I hereby certify that this document and all documents listed below are being transmitted via facsimile to
 Commissioner for Patents, fax no. (571) 273-8300, on **January 26, 2007**

By: 
 Jennie Heaton

SUBMITTED HEREWITH FOR THE ABOVE-CAPTIONED APPLICATION:

- Transmittal Form
- Amendment and Request for Reconsideration (13 Pgs.)

Respectfully submitted,



Andrew D. Fortney, Ph.D.; Reg. No. 34,600

PLEASE DIRECT ANY QUESTIONS REGARDING THE TRANSMISSION OF THIS FAX TO:
 (559) 432-6847 / FAX (559) 432-6872 / INFO@FORTNEYLAW.COM

THIS FAX CONTAINS 15 PAGE(S) INCLUDING THIS ONE.

This message is intended for its recipient(s) only, and may contain attorney-client privileged communications, attorney work product or other privileged communications. No waiver of any applicable legal privilege is intended by this transmission. If this transmission is received in error by other than the intended recipient(s), please notify the Law Offices of Andrew Fortney at the phone/fax number listed at the top of this page and then please return or destroy the transmitted document. Thank you for your cooperation and assistance.

PTC/SB/21 (07-08)

Approved for use through 09/30/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Attorney Docket Number

PPW06-569DS (formerly OPP031368US)

Application Number	10/743,573
Filing Date	December 22, 2003 RECEIVED
First Named Inventor	Bo-Yeoun JO CENTRAL FAX CENTER
Art Unit	2891
Examiner Name	Smith, Bradley JAN 26 2007

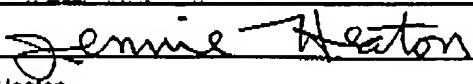
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> - Fax Transmission Cover Page
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	The Law Offices of Andrew D. Fortney, Ph.D., P.C.		
Signature			
Printed name	Andrew D. Fortney, Ph.D.		
Date	01-26-2007	Reg. No.	34,600

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		
Typed or printed name	Jennie Heaton	Date 01-26-2007

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.